IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 1069 OF 2002

IN

SUMMARY SUIT NO. 3097 OF 2002

A. G. Nadiadwala ..Plaintiff

versus

T. D. Joseph ..Defendant

Mr. B. J. Singh i/b. R. K. Midha for the Plaintiff.
None for the Defendant.

CORAM : D. G. DESHPANDE,J.

DATE ; 20TH SEPTEMBER, 2004.

P.C. :

. Heard Advocate for the Plaintiff. Nobody is present for the Defendant though the matter is on board for exparte hearing.

. An order came to be passed on 14.6.2004 wherein conditional leave to defend was granted to the defendant on deposit of Rs.6 lacs within six weeks. Amount is not deposited. It was clarified in that order itself that on failure to comply with the condition, judgment and decree would be passed in favour of the plaintiff. Advocate for the

plaintiff has filed Non Deposit Certificate dated 8.9.2004. Therefore there shall be a decree as prayed in the plaint with future interest at the rate of 12% per annum from the date of the suit till payment and costs. Refund of court fees as per the rules. Suit and the summons for judgment both disposed of accordingly. Decree be drawn up accordingly.

. Certified copy expedited.

*****